



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

GREGORY D. STUMBO  
ATTORNEY GENERAL

1024 CAPITAL CENTER DRIVE  
SUITE 200  
FRANKFORT, KY 40601-8204

13 February 2006

*Via Hand Delivery*

Beth O'Donnell, Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

RECEIVED

FEB 13 2006

PUBLIC SERVICE  
COMMISSION

RE: PSC Case No. 2005-00228

Dear Ms. O'Donnell:

The Attorney General submits for filing the certification by Scott J. Rubin regarding his destruction of confidential and proprietary documents. Please place this letter into the record for Case No. 2005-00228.

Service of this letter and attachment was by mailing a true and correct copy of the same, first class postage prepaid, to the parties of record. Filing and service takes place this 13<sup>th</sup> day of February 2006.

Regards,

*David Edward Spenard*

David Edward Spenard  
Assistant Attorney General

enclosure

cc: Parties of record



# Scott J. Rubin

Attorney ❖ Consultant

3 Lost Creek Drive ❖ Selinsgrove, PA 17870 ❖ (570)743-2233 ❖ Fax: (570)743-8145 ❖ scott@publicutilityhome.com

January 26, 2006

David Spenard  
Office of the Attorney General  
Public Service Litigation Branch  
1024 Capital Center Drive  
Frankfort KY 40601-8204

JAN 30 2006

Re: Joint Application of Duke Energy Corporation,  
Duke Energy Holding Corp., Deer Acquisition  
Corp., Cougar Acquisition Corp., Cinergy  
Corp., the Cincinnati Gas & Electric Company,  
and the Union Light, Heat and Power  
Company for Approval of a Transfer and  
Acquisition of Control  
KY PSC Case No. 2005-00228

Dear David:

This letter will certify that I have destroyed all Confidential and Proprietary documents that were provided to me by the Applicants in the above-referenced proceeding. I have retained one paper and one electronic copy of the confidential version of my testimony, for archival purposes.

If you have any questions, or if you require further certification of my compliance with the terms of the Protective Order in this proceeding, please let me know.

As always, it was a pleasure working with you and Dennis on this case.

Sincerely,

  
Scott J. Rubin